

REMARKS

I. Status of the Subject Application

At the outset, Applicant wishes to express appreciation to Examiner Ngo for determining that the subject application contains patentable subject matter.

Claims 145-214 are pending. Claims 145-162 and 181-198 and 215-222 are allowed. Claims 167-169 and 201-214 are objected to and claims 163-166, 170-180, 199, and 200 stand rejected. In the present Amendment, Applicant has amended independent claims 163 and 199 to clarify certain aspects of those inventions. Original claim 167 has been rewritten in independent form as claim 223. New claims 224 and 225 correspond to original claims 164 and 165, respectively. New claims 226-229 correspond to original claims 168-171, respectively.

III. The Rejections Under 35 U.S.C. § 102(b)

Claims 163-166 and 172 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,966,104 to Massey et al. Without acquiescing to or admitting to any of the specific assertions in the Official Action concerning Massey et al., and expressly reserving the right to address such assertions in the future, Applicant respectfully submits that amended claim 163 and the claims that depend therefrom are not anticipated by Massey et al. for at least the reasons stated below.

In the present Amendment, Applicant has amended claim 163 to reflect that the first load bearing mast segment is pivotally coupled to the base member by a first joint assembly that is configured to distribute a load experienced by the first mast segment to the base member and that the first joint assembly includes at least one first load distribution member that is attached to an end of the base member wherein the first load distribution member has a first perimeter that is at least as large as a perimeter of one end of the first mast segment. Massey et al., to the contrary, lacks such joint arrangement. In particular, as can be seen in FIG. 6A of Massey et al. as annotated below, the adjustable stop 84 is much smaller than the segments 54 and 56.

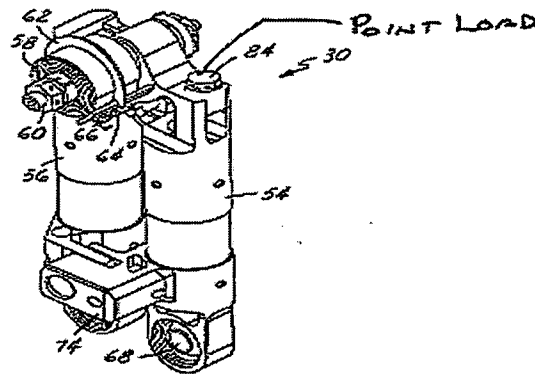


FIG. 6A

Such stop 84 creates a “point loading” situation (i.e., all of the load experienced by the segment 54 is directed into segment 56 through that relatively small area defined by the adjustable stop 84). The adjustable stop 84 does not serve to distribute the load in the manner as the first joint assembly as recited in amended claim 163.

Accordingly, Massey et al. does not anticipate amended claim 163 because it lacks all of the elements of that claim in the same form as recited in that claim. Because claim 163 is not anticipated by Massey et al., it follows that the claims that depend from claim 163 are also not anticipated by that reference.

III. The Rejection Under 35 U.S.C. § 103

Claims 170, 171, 173-180, 199, 200 stand rejected under 35 U.S.C. § 103 as being unpatentable over Massey et al. As indicated above, claims 170-180 have been canceled without disclaimer or prejudice. Independent claim 199 has been amended in a manner similar to the amendments made to claim 163 and is seen to be patentable over Massey et al. for the same reasons. The distribution of loads through the extended mast segments is not a concern of Massey et al. because the segments are only extended in space. Thus, there is no motivation present that would have led the skilled artisan to modify the joint arrangements of Massey to satisfy the elements of claims 199 and 200. In fact Massey et al. teaches away from such

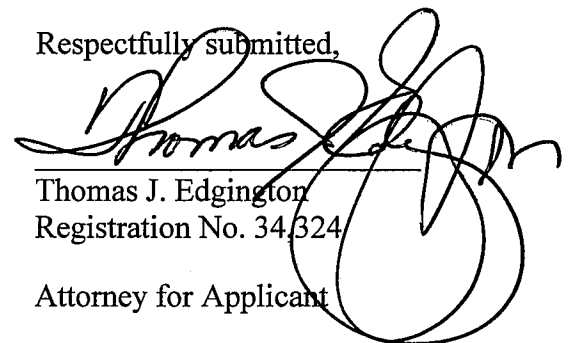
arrangement. As explained in Massey et al., “[l]aunching of satellites imposes strict requirements concerning size, weight and resistance to acceleration of payload.” Col. 1, lines 21-23 of Massey et al. Thus, Massey et al. is concerned with developing a satellite that takes up less volume and has as little weight as possible. Column 1, lines 58-62 of Massey et al. Accordingly, Accordingly, Applicant traverses this rejection.

IV. Conclusion

Applicant respectfully submits that all of the claims presented in the present application are in condition for allowance. Applicant’s present Amendment should not in any way be taken as acquiescence to any of the specific assertions, statements, etc., presented in the Office Action not explicitly addressed herein. Applicant reserves the right to specifically address all such assertions and statements in subsequent responses. Applicant also reserves the right to seek claims of a broader or different scope in a continuation application.

Applicant has made a diligent effort to properly respond to the Office Action and believe that the claims are in condition for allowance. If the Examiner has any remaining concerns, the Examiner is invited to contact the undersigned at the telephone number set forth below so that such concerns may be expeditiously addressed.

Respectfully submitted,



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